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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/061,687	02/01/2002	Chad Kenneth Hatch	16-092	9651

7590

04/10/2003

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EXAMINER

KRAMER, DEVON C

ART UNIT

PAPER NUMBER

3683

DATE MAILED: 04/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n No.

10/061,687

Applicant(s)

HATCH, CHAD KENNETH

Examiner

Devon C Kramer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6,8 and 10-33 is/are rejected.
- 7) ☒ Claim(s) 7 and 9 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 1.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-153)
- 6) ☐ Other: ____.

Christopher P. Schwartz
CHRISTOPHER P. SCHWARTZ
PRIMARY EXAMINER

DETAILED ACTION

Drawings

1) The drawings are objected to under 37 CFR 1.83(a) because they fail to show the ¼ inch tube 84 that extends to the cab suspension or the 3/8 inch tube extending to the air horn as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2) The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3) Claims 1-2, 8, 10-19, 27-28, 31-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Ury (4058349).

In reference to claims 1 and 27, Ury provides a one piece pressure protection valve and manifold, comprising: a housing (30) defining an inlet passage (28) and at least three outlet passages (78a, 78, 54); a valve (38) in the housing interposed between the inlet passage and the outlet passages, the valve being constructed to prevent fluid flow from the inlet passage to the outlet passages when a fluid pressure at the inlet passage is below a predetermined value.

In reference to claims 2, 19, 28, Ury provides the valve with a piston (32) biased toward the inlet by a spring (68) to prevent fluid flow from the inlet passage to the outlet passages when the fluid pressure at the inlet passage is less than the biasing force of the spring.

In reference to claim 8, Ury provides a one piece pressure protection valve and manifold, comprising: a housing (30) defining an inlet passage (28), a plurality of outlet passages (78a, 78, 54), and a vent (54); a valve (38) in the housing interposed between the inlet passage and the outlet passages, the valve being constructed to prevent fluid flow from the inlet passage to the outlet passages when a fluid pressure at the inlet passage is below a predetermined value.

In reference to claim 10, Ury provides a one piece pressure protection valve and manifold, comprising: a housing (21) defining an inlet passage (11) connected to a reservoir and at least three outlet passages (213, 214, 216) capable of being attached to a vehicle accessory; a valve in the housing interposed between the inlet passage and the outlet passages, the valve being constructed to prevent fluid flow from the inlet passage to the outlet passages when a fluid pressure at the inlet passage is below a predetermined value. Inherently, pneumatic systems on vehicles have a tank or reservoir.

In reference to claims 11-18, the outlets of Ury are capable of being attached to any pneumatic device on a vehicle.

In reference to claims 31-33, if there is a pressure drop in any of the outlets of Ury the valve would close due to a decrease in the system pressure.

4) Claims 1-3, 10-19, 27-28 and 31-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Su (6036283).

In reference to claims 1 and 27, Su provides a one piece pressure protection valve and manifold, comprising: a housing (21) defining an inlet passage (11) and at least three outlet passages (213, 214, 216); a valve in the housing interposed between the inlet passage and the outlet passages, the valve being constructed to prevent fluid flow from the inlet passage to the outlet passages when a fluid pressure at the inlet passage is below a predetermined value.

In reference to claim 2, 19 and 28, Su provides the valve with a piston (221) biased toward the inlet by a spring (23) to prevent fluid flow from the inlet passage to the outlet passages when the fluid pressure at the inlet passage is less than the biasing force of the spring.

In reference to claim 3, Su provides a vent (215) defined by the housing in communication with the piston.

In reference to claim 10, Su provides a one piece pressure protection valve and manifold, comprising: a housing (21) defining an inlet passage (11) and at least three outlet passages (213, 214, 216) capable of being attached to a vehicle assembly; a valve in the housing interposed between the inlet passage and the outlet passages, the valve being constructed to prevent fluid flow from the inlet passage to the outlet

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passages when a fluid pressure at the inlet passage is below a predetermined value.

Inherently, pneumatic systems on vehicles have a tank or reservoir.

In reference to claims 11-18, the outlets of Su are capable of being attached to any pneumatic device on a vehicle.

In reference to claims 31-33, if there is a pressure drop in any of the outlets of Su the valve would close due to a decrease in the system pressure.

Claim Rejections - 35 USC § 103

5) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6) Claims 4-5, 20-21, 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Su or Ury.

Su and Ury are silent to the pressure at which their valve operates.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the valve of Su or Ury to close on decreasing pressure between 62 and 72 PSIG, and to open on rising inlet pressure between 75 and 95 PSIG since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. In re Aller, 105 USPQ 233.

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7) Claims 6, 8, 22-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Su or Ury in view of Norgen pneumatics manual.

Su and Ury both teach all of the limitations of claims 1 and 2, including a vent (Su 215, Ury 54) Both Su and Ury lack the teaching of push to connect fittings. Su and Ury are silent to the pressure at which their valve operates.

Norgen utilizes push to connect fittings in air brake vavles. (Page 1 dated 6-14-2002)

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided Su or Ury with push to connect cartridge fittings as taught by Norgen in order to provide a quick and easy means of dismantaling the components for service.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the valve of Su or Ury as modified by Norgen to have diffent sized fittings depending on the amount of air flow needed for the devive the port is servicing since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. In re Aller, 105 USPQ 233.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the valve of Su or Ury to close on decreasing pressure between 62 and 72 PSIG, and to open on rising inlet pressure between 75 and 95 PSIG since it has been held that where the general conditions of a claim are disclosed in the

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prior art, discovering the optimum or workable ranges involves only routine skill in the art. In re Aller, 105 USPQ 233.

Allowable Subject Matter

8) Claims 7, 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

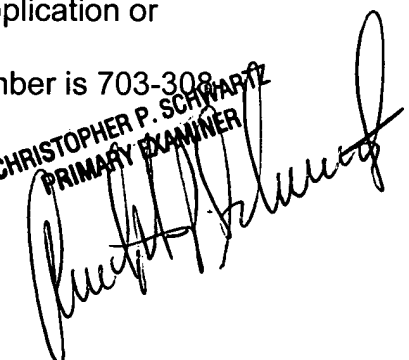
9) The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Klimazewski, Urban et al, Meshulam, March et al, Farmer et al, Hart, Stich et al, Johnston et al, and Shellhause all provide manifold valve devices with plural outlets.

10) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Devon C Kramer whose telephone number is 703-305-0839. The examiner can normally be reached on Mon-Fri 8-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Lavinder can be reached on 703-308-3421. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-3519 for regular communications and 703-308-3519 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1134.

CHRISTOPHER P. SCHWARTZ
PRIMARY EXAMINER



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April 1, 2003